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OFFICIAL REGULATIONS GOVERNING THE EMPLOYMENT OF SEAMEN
IN THE GDR

[Comment: The following decree, issued by the East German Ministry of Labor and Public Health, and the pertinent implementation directive published 8 months later by the (meanwhile reorganized) Ministry of Labor appeared in the third edition of a pamphlet Das Recht der Arbeit (Labor Law), subtitled Gesetze und Verordnungen der Deutschen Demokratischen Republik auf dem Gebiete des Arbeitsrechts nebst Durchfuhrungsbestimmungen (Laws and Decrees of the German Democratic Republic in the Field of Labor Law, With Implementation Directives). The publisher was Deutscher Zentralverlag (Central Publishing Company), Berlin.]

DECREE OF 2 NOVEMBER 1950 REGULATING THE EMPLOYMENT AND TERMINATION
OF EMPLOYMENT OF SEAMEN

Applicability

Section 1

These regulations shall apply to all merchant vessels, including pilot boats, salvage ships, tugs, coastal and deep-sea fishing boats plying outside the territorial waters of the GDR (German Democratic Republic) which are authorized to fly the flag of the GDR, and to all seamen domiciled in the GDR.

Section 2

1. Only persons in possession of a seaman's workbook (Seefahrtsbuch) will be employed on the types of vessels designated in Section 1 above.

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2. Minors must have the written permission of their legal guardians before they may be employed. Such written permission empowers the minor to act in all legal matters pertaining to his employment or dismissal, and makes him responsible for any obligations arising from such actions. In doubtful cases, the written permission granted in a specific instance shall be construed as a blanket authorization to enter into other commitments of a similar nature.

Recruiting OfficesSection 3

Seamen's offices are to be set up in Wismar, Rostock, Stralsund, Sassnitz, and Wolgast, for hiring and discharging seamen. These offices will be attached to the local labor bureaus.

Section 4

1. Persons seeking employment on vessels of the types listed in Section 1 above shall be required to make application for a seaman's workbook and to furnish proof of identity to the employment authorities.

2. Seamen's workbooks and ship's personnel rosters will be issued by the seamen's offices.

Section 5

1. The seaman's workbook will serve as a work identification document (Arbeitsausweis) within the GDR and outside of its territorial limits. It will identify the holder as a member of the crew of an East German vessel.

2. The workbook (Arbeitsbuch) will be surrendered upon issuance of the seaman's workbook.

Section 6

1. All medical examinations required by law to determine the fitness for work assignments of potential personnel will be performed by the public health authorities at the locale of the seamen's office, or by a physician designated by said authorities to carry out such examination in compliance with specified requirements.

2. No fee shall be charged for such medical examinations.

Section 7

1. Maintenance of a ship's personnel roster shall be mandatory. The roster will contain information on the ship's crew, and a record of the conditions of employment as agreed upon.

2. Rosters will cover a period of 2 years. The necessary entries will be made by the seaman's office prior to each voyage.

3. The ship's skipper must request a new roster prior to the expiration of the 2-year period.

Section 8

1. No fees shall be charged for issuance of seamen's workbooks and ship's personnel rosters.

2. A charge may be made for the issuance of duplicate copies of seamen's workbooks and ship's personnel rosters, in case the original documents are lost.

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Employment and Termination of EmploymentSection 9

1. The terms "employment" and "termination of employment" as herein used signify, respectively, the beginning and completion of a work agreement with the approval of the seaman's office.
2. The ship's skipper or an authorized representative of the shipping line or union, and the person to be employed or dismissed must be present during such proceedings.
3. An authorized representative of the shipping line or union must be present when a ship's skipper is employed, or when his employment is terminated.

Section 10

1. To insure the proper manning of a vessel it is permissible to requisition persons whose employment has been terminated or is about to be terminated by the seamen's offices.
2. Shipping lines and unions shall be entitled to make such requisitions.

Section 11

In exceptional cases, skippers shall be authorized to by-pass the provisions of this decree and to recruit seamen in ports outside the territory of the GDR, to maintain the ship's personnel complement. Upon entry of the ship into a GDR harbor, approval of such employment must be obtained retroactively from the competent seamen's office.

Central Seamen's RegistrySection 12

A central seamen's registry is to be maintained by the Stralsund Labor Office, in addition to the existing ship's registry (Schiffskartei).

Penal ProvisionsSection 13

1. A fine of up to 300 Deutsche marks will be imposed upon any persons who deliberately or through carelessness:
 - a. Make false, incomplete, or misleading statements in connection with information required by the seamen's office for the issuance of a seaman's workbook;
 - b. Employ a seaman not in possession of a seaman's workbook or of a provisional identity document.
2. Penalties for violations of the foregoing provisions shall be determined by the seamen's office.

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Provisional RegulationsSection 14

1. Persons already employed must request issuance of seamen's workbooks from the competent seamen's offices not later than 3 months from the date of publication of this decree.

2. Temporary identity documents will be issued, to be valid for the period required to process permanent identity documents.

Section 15

Following a hearing of the Central Committee of the Transport Workers' Union (Industriegewerkschaft Transport), the Ministry of Labor and Public Health, in cooperation with the GDR Ministries of Transportation and Internal Affairs, will issue the necessary directives for the implementation of this decree.

Section 16

All provisions of the Seamen's Regulations of 2 June 1902 (German Legal Gazette, p 175), and the amendments thereto, which are contrary to the provisions of this decree are hereby rescinded.

Section 17

This decree shall take effect upon publication.

Berlin, 2 November 1950
Grotewohl, Minister-President
Steidle, Minister of Labor and Public Health

FIRST IMPLEMENTATION DIRECTIVE PERTAINING TO THE GDR DECREE REGULATING
THE EMPLOYMENT AND TERMINATION OF EMPLOYMENT OF SEAMEN

In accordance with Section 15 of the Decree of 2 November 1950, governing the employment and termination of employment of seamen (GDR Legal Gazette, p 1127), the Ministry of Labor, in cooperation with the Ministry of Internal Affairs and the Ministry of Transportation, has directed as follows under date of 27 July 1951:

Section 1

(Refers to Section 1 of the Decree)

1. The decree shall be applicable to coastal fishing vessels only if such vessels have a length of not less than 8 meters.

2. A permit for application for permanent residence in the GDR (temporary residence permit) issued by a competent administrative office is to be considered equivalent to permanent residence in the GDR.

Section 2

(Refers to Section 4, Paragraph 1, of the Decree)

Applicants for a seaman's workbook must present proof of their technical and personal qualifications for employment as seamen.

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Section 3

(Refers to Section 4, Paragraph 2, of the Decree)

1. The Labor Section of the seamen's office may refuse to issue a seaman's workbook to an applicant who fails to meet the provisions of Section 2 above.
2. Applicants may appeal such refusal to the competent ministry in Mecklenburg within 14 days from receipt of the rejection notification. The final decision shall rest with the Ministry's Main Department for Labor.
3. The initial seamen's workbooks of persons already engaged in occupations subject to the regulations of the Decree of 2 November 1950 shall be issued by the Labor Section of the Stralsund Seamen's Office.
4. The Labor Section of the Stralsund Seamen's Office will also issue the initial seamen's workbooks to holders of seamen's certificates of proficiency.
5. Only the printed forms approved by the GDR Ministry of Labor will be used for the issuance of seamen's workbooks and ship's personnel rosters.

Section 4

(Refers to Section 8, Paragraph 2 of the Decree)

1. A fee of 10 Deutsche marks will be charged for the replacement of seaman's workbook which has been lost. A like fee will be charged for replacement of a ship's personnel roster which has been lost. A fee of 6 Deutsche marks will be charged for replacement of each insert in the ship's personnel roster.
2. Upon presentation of proof that such loss occurred through no fault of the holders of the above documents, the fees will be remitted.

Section 5

(Refers to Section 13, Paragraphs 1 and 2 of the Decree)

1. Fines may be appealed to the Labor Section of the Stralsund Seamen's Office within a period of 14 days from the date of imposition.
2. Decisions by the Labor Section of the Seamen's Office may be appealed to the competent ministry of Land Mecklenburg. Final decision will be rendered by the ministry.

Section 6

Date of Effectiveness

The above implementation directive becomes effective on the date of publication.

Berlin, 27 July 1951
Chwalek, Minister of Labor

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